

*** APPLICATION INFORMATION DISPLAY ***

06/24/99 13:07

DETAIL

CONTENTS:

SC/SN: 08/962077
 FILDT: 10/31/97
 PATNO: PUBNO:
 ISSDT: 00/00/00 PUBDT: 00/00/00
 ABNDT: 00/00/00 PGPUB CL/SC: /
 APPL: GOLICZ ET AL
 LOC: 47M0 LOC DT: 04/01/99 BATNO:
 CHG-LOC: 47X0 IE TEAM: 00 ISSNO: 00
 CHGTO-NAME: NOT ASSIGNED
 TOT ACT: 00 STATUS: 000 STADT: 07/13/98
 RESP CD: START DT: / / DUE DT: / /
 EXMR NO/NAME: 00000/NOT ASSIGNED
 DOCKET DATE: / / GAU: 3615 L R CD: 00
 ATTY DOCK #: 9534 LOST N LOST DT 00/00/00
 APPLN TYPE: 1 TYPE SM ENT: 1 UNMAT PET: N
 CURR CL/SC: 198/ FOR PRIOR CL: N PET FAOM:
 TITLE OF INVENTION: UNAVAIL FOR ACTION: N PP UNAVAIL: 0
 SHEET FEEDING APPARATUS

05 PET. I 09/14/98
 04 COMP E 09/18/98
 03 INC/ O 07/14/98
 02 G021 L 10/09/98
 01 IEXX E 11/25/97

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END OF DISPLAY

TO DISPLAY CONTENTS: PUSH SEND

Two Status Letter's Attached
 Palm Shows Applications are
 located in your Area. Please
 match papers with Applications and
 return to D.C. 3600 ASAP

Thanks, In Advance



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GAU 3615
3651

Re: Application of Roman Golicz et al.

Serial No. 08/962,077

Date: June 1, 1999

Filed: October 31, 1997

Examiner:

Applicant: Roman Golicz et al.

Art Unit: 3615

Title: Sheet Feeding Apparatus

Atty. No. 9534

STATUS INQUIRY

To: Asst. Commissioner for Patents

Applicants filed their application on October 31, 1997 and no action has been taken. Applicants respectfully request to be advised when their application will be acted on.

Due to an error on the part of the PTO saying the application was incomplete, a filing receipt was not sent until September 1998.

Respectfully submitted,
ROMAN GOLICZ et al.

By Charles G. Nessler
Their Attorney

Charles G. Nessler
Box H
Chester, CT 06412
(860) 526 9149

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JUN 09 1999

GROUP 3600

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20231 on

6/11/99

C. G. Nessler

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JUN 25 1999
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of Roman Golicz et al.

Serial No. 08/962,077

Date: June 1, 1999

Filed: October 31, 1998

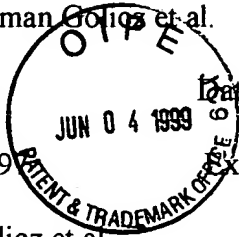
Examiner:

Applicant: Roman Golicz et al.

Art Unit: 3615

Title: Sheet Feeding Apparatus

Atty. No. 9534



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REQUEST FOR REFUND OF PETITION FEE

To: Asst. Commissioner for Patents

Nine months after applicants filed their application, the PTO sent a notice of incomplete application, attached. Because the application was based on a PCT application, the applicant was not required to file a copy of the specification in order to obtain a filing date. Despite numerous phone calls, the matter was unable to be resolved. The PTO insisted that a copy of the specification had to be filed.

Therefore on 9/9/98 applicants filed a petition and paid a \$130 fee.

Shortly thereafter, in an envelope dated 9/14/98, applicants received a filing receipt. They then withdrew their petition. They requested refund of their petition in the petition and in the withdrawal. No refund has been forthcoming.

The need for applicants to file a petition was solely caused by the PTO's mistake. The mistake caused applicants significant legal expense.

Applicants respectfully request a refund of \$130.

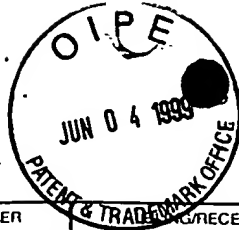
Respectfully submitted,
ROMAN GOLICZ et al.

By CG Nessler
Their Attorney

Charles G. Nessler
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Chester, CT 06412
(860) 526 9149

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6/1/99
CG Nessler



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/962,077	10/31/97	GOLICZ	R 9534

CHARLES G NESSLER
P O BOX H
CHESTER CT 06412

0222/0714

NOT ASSIGNED

3615

DATE MAILED:

07/14/98

NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below, unless otherwise indicated, must be submitted within **TWO MONTHS** of the date of this Notice, or the application may be returned or otherwise disposed of. Any fee which has been submitted will be refunded less a \$130.00 handling fee. (37 CFR 1.53(c)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of the Assistant Commissioner for Patents accompanied by the \$130.00 petition fee. (37 CFR 1.1 7(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

☒ 1. The specification (description and claims):

☒ a. is missing.

☐ b. does not include a written description of the invention.

☐ c. does not include at least one claim as prescribed by 35 U.S.C. 112.

A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.

☐ 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).

☐ 3. The inventor's name(s) is missing.

The full names of all inventors are required in compliance with 37 CFR 1.41.

☐ 4. OTHER:

Additional observations on the above-identified application papers:

☐ 1. Pages _____ of the specification are missing.

☐ 2. Figures _____ described in the specification are missing.

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

☐ "General Information Concerning Patents." See page _____.

☐ "Notice to File Missing Parts of Application," Form PTO-1532.

☐ "Checklist for Patent Applications."

☐ Other:

A copy of this notice MUST be returned with the response.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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Handwritten notes: "Mailed 8/70", "Patent Office", "Patent Office", "Patent Office".



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of Roman Golicz et al.

Serial No. 08/962,077

Date: September 9, 1998

Filed: October 31, 1997

Examiner:

Applicant: Roman Golicz et al.

Art Unit:

Title: Sheet Feeding Apparatus

Atty. No. 9534

Asst. Commissioner for Patents

Attention: SPECIAL PROGRAM LAW OFFICE

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PETITION

RELATING TO FILING DATE

1. Applicants hereby submit this petition pursuant to 37 CFR 1.181, together with check in payment of a fee of \$130. Please charge any insufficiency in fee to Deposit Account 14-0711.

2. Applicants respectfully petition the Commissioner for a determination that

(a) the above referenced application filed on 10/31/97 was complete, within the meaning of 35 USC 371; and;

(b) under PCT Article 11(3), 35 USC 371, and 37 CFR 1.53(f), the effective US filing date of the application is 1 April 1997.

3. Applicants request refund of the petition fee submitted herewith because the application was complete.

4. Background

Applicants filed International application No. PCT/US97/05320 on 1 April 1997, designating US, DE and GB. On 10/9/97 the International Bureau communicated the application to the USPTO.

Applicants entered the US national stage by a filing on October 31, 1997. That date is the date of deposit by express mail of a transmittal letter, declaration, amended claims, formal drawings, and fee.

The 10/31/97 documents asserted that the specification had been previously deposited with the Commissioner pursuant to PCT Rule 47.1(c). A copy of the specification was thus not submitted on 10/31/97.

On 7/15/98 a Notice of Incomplete Application was sent to applicants. It stated that the specification was missing, and was required within 2 months. (The notice was dated nine months after the date of express mail deposit by applicants.)

Applicants have now submitted a copy of their PCT specification (including also the claims and drawings) in response to the Notice, without admitting that the application was incomplete.

5. Argument

Applicants submit that on 10/31/97, the PTO was in possession of the specification and that, with the filing of the declaration, etc., the application was therefore complete.

The PTO received applicants' specification on October 9, 1997 from the International Bureau of WIPO. See Form PCT/1B/308 attached, which was also included with applicants' 10/31/97 filing. The Form indicates that the application has been communicated to the designated Office of the US. "The designated Office is the national Office (for example, the USPTO)..." MPEP 1801.

Applicants' declaration sent on 10/31/97 specifically referred to, and thus incorporated, the PCT specification which had been transmitted by WIPO to the USPTO, by number and filing date. Copy attached.

Therefore, on 10/31/97, the PTO had in its possession the specification. To commence the national stage, 35 USC 371(c)(2) says that a copy of the international application ought be filed "unless...already communicated by the International Bureau". Since such had already taken place, applicants were not required to submit another copy of the specification.

Consequently, under 35 USC 371 applicants met all the requirements for commencing the national stage on 10/31/97 and the filing date ought to be the filing date of the PCT application.

Granting of the petition and refund of the petition fee is respectfully requested.

Respectfully submitted,
ROMAN GOLICZ et al.

By *Charles G. Nessler*
Their Attorney

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20231 on

9/9/98

Charles G. Nessler

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of Roman Golicz et al.

Serial No. 08/962,077

Filed: October 31, 1997

Applicant: Roman Golicz et al.

Title: Sheet Feeding Apparatus



Date: September 18, 1998

Examiner:

Art Unit:

Atty. No. 9534

To: Asst. Commissioner for Patents

Attention: SPECIAL PROGRAM LAW OFFICE

WITHDRAWAL OF PETITION RELATING TO FILING DATE
(PETITION DATED SEPTEMBER 9, 1998)

Applicants received from the Application Processing Division a Filing Receipt in an envelope dated 9/14/98. The Filing Receipt states that the filing date is 10/31/97, which is the date applicants petitioned for. (Applicants' attorney had previously orally made some of the points presented in the Petition with the Division, after receipt of the Notice of Incomplete Application.)

Therefore, Applicants withdraw their petition.

Applicants request refund of their \$130 petition fee, by credit to Deposit Account No. 14-0711.

Respectfully submitted,
ROMAN GOLICZ et al.

By C. G. Nessler
Their Attorney

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Chester, CT 06412
(860) 526 9149

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Patents and Trademark Office, Washington, D.C.
20231 on

9/18/98
C. G. Nessler